

Domestic and Family Violence Protection and Other Legislation Amendment Act 2016

Explanatory notes for SL 2017 No. 48

made under the

Domestic and Family Violence Protection and Other Legislation Amendment Act 2016

General Outline

Short title

Proclamation made under the *Domestic and Family Violence Protection and Other Legislation Amendment Act 2016*.

Authorising law

Section 2 of the *Domestic and Family Violence Protection and Other Legislation Amendment Act 2016*.

Policy objectives and the reasons for them

The objective of the Proclamation is to commence all provisions of the *Domestic and Family Violence Protection and Other Legislation Amendment Act 2016* (the Act), except for the National Domestic Violence Order Scheme (NDVOS) related provisions, on 30 May 2017.

The Act amends the *Domestic and Family Violence Protection Act 2012* in line with recommendations of the Special Taskforce on Domestic and Family Violence in Queensland (the Taskforce). The Act introduces amendments that improve protection for victims, increase perpetrator accountability and strengthen the justice response to domestic and family violence.

Key provisions to commence by this Proclamation include amendments related to a new information sharing framework, increased penalties for breaches of release conditions and police protection notices (PPNs), the expansion of police powers and the PPN framework, court consideration of family law orders, and the duration of protection orders.

The specific provisions of the Act will commence on 30 May 2017.

The commencement date of 30 May 2017 allows sufficient time for a range of implementation activities to support the Act to be undertaken across government.

The remaining NDVOS provisions provide for the automatic mutual recognition of domestic violence orders made across Australia. These provisions will commence by proclamation, at a later date, to align with any potential national commencement date for the NDVOS.

Achievement of policy objectives

The above policy objectives are achieved by fixing a commencement date of 30 May 2017 for the sections of the Act stated in the schedule to the Proclamation.

Consistency with policy objectives of authorising law

The Proclamation is consistent with the objectives of the Act.

Inconsistency with policy objectives of other legislation

There is no inconsistency with the policy objectives of other legislation.

Alternative ways of achieving policy objectives

There are no alternative means of achieving the purpose of the Proclamation.

Benefits and costs of implementation

As outlined in the explanatory notes to the Domestic and Family Violence Protection and Other Legislation Amendment Bill 2016 (the Bill), any costs associated with the implementation of the Act will be met through existing resources.

Consistency with fundamental legislative principles

The Proclamation is consistent with fundamental legislative principles.

Consultation

Key domestic and family violence and legal stakeholders were consulted during the development of the Act. The results of consultation are detailed in the explanatory notes to the Bill.

No consultation was undertaken on the Proclamation as it is of a machinery nature.